

EASTERN DISTRICT OF TEXAS

CIVIL ACTION NO. 1:10-CV-644

JEFFERSON COUNTY SHERIFF
OFFICE, *et al.*,

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff contends his claims against Jefferson County should not be dismissed. Plaintiff's allegations, however, fail to state a claim upon which relief may be granted against the county. The Fifth Circuit has repeatedly recognized that "isolated violations are not the persistent, often repeated, constant violations that constitute custom and policy as required for municipal section 1983 liability." *Gates v. Texas Department of Protective and Regulatory Services*, 537 F.3d 404,

437 (5th Cir. 2008) (quoting *Campbell v. City of San Antonio*, 43 F.3d 973, 977 (5th Cir. 1995)).

Thus, Plaintiff's objections are without merit.

ORDER

Accordingly, Plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 25th day of July, 2011.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE